IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.205/1998

1. Shri Lazarinho Miranda,
major, r/o. Near Church,
Cavelossim, Salcete, Goa.

2. Shri Albert Leitao,
major, r/o. Bairro Lashete,
Varca, Salcete, Goa. .... Petitioners.

V/s.

1. State of Goa,
through its Chief Secretary,
having office at
Secretariat, Panaji, Goa.

2. The Goa State Committee on
Coastal Environment,
through its Member Secretary,
Panaji, Goa.

3. The Secretary,
Ministry of Environment &
Forests, New Delhi.

4. Village Panchayat of Cavelossim
through its Sarpanch,
having office at Cavelossim,
Salcete, Goa.

5. Director of Panchayats,
Government of Goa,
having office at 4th Floor,
Junta House, Panaji, Goa.

6.Sea Palm Resorts Pvt. Ltd.,
a Company registered under the
Companies Act, 1956, having its
registered Office at Luchel
Caminho De Monte,
Borda, Margao, Goa 403 601. ..... Respondents.

Mr. S.G. Bhobe, Advocate for the petitioners.

Mr. A.N.S. Nadkarni, Advocate General with Mr. H.D. Naik,
Addl. Govt. Advocate for the State/respondent No.1.

Mr. H.D. Naik, Advocate for respondent No.2.

Mr. S.D. Lotlikar, Sr. Advocate with Mr. A.D. Bhobe,

Advocate for respondent No.4.

Mr. M.S. Sonak, Advocate for respondent No.6.

CORAM : D.G. DESPHANDE &
P.V. HARDAS, JJ.

DATE : FEBRUARY 5, 2003.

ORAL JUDGMENT : (Per DESHPANDE, J.)

The question involved in this petition is whether the alleged illegal construction falls within the CRZ line. Considering the issue involved in this petition, submissions made by the Counsel for the parties and the report of the Town and Country Planning Department submitted to this Court, the Government is directed to decide the question, according to law, within four weeks from today, after hearing the parties, including the petitioner and respondents No.4 and 6. If the construction is found to be illegal, the Government to take appropriate action according to law.

The petition is allowed. Rule made absolute accordingly.

D.G. DESHPANDE, J.

P.V. HARDAS, J.

ssm.